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6 ROBERT DERWIN AVERY,
7 Plaintiff,
8 v.
9 DEPARTMENT OF THE ARMY,
10 Defendant.

11 Case No. 14-cv-01077-YGR (PR)

12 **ORDER RE PLAINTIFF'S REQUEST FOR
13 EXTENSION OF TIME TO FILE OPPOSITION
14 TO MOTION TO DISMISS**

15 Dkt. 20

16 On August 25, 2014, Plaintiff filed a motion for an enlargement of time of up to 120-days
17 to prepare an opposition to an anticipated dispositive motion to be filed by Defendants pursuant to
18 the deadlines set forth in the Court's Order of Service. Dkt. No. 20. The motion is GRANTED in
19 part and DENIED in part, as explained below.

20 Defendants' motion to dismiss was filed on October 29, 2014. Dkt. 21. Pursuant to the
21 Court's Order of Service, Plaintiff was directed to file an opposition within 28 days, or up to and
22 including November 26, 2014.¹ In light of Plaintiff's motion requesting a 120-day extension to
23 file his opposition, the Court DENIES a 120-day extension as unwarranted, and instead GRANTS
24 a 60-day extension of time for Plaintiff to file his opposition, up to and including **January 26,**
25 **2015.** Under the Court's Order of Service, Defendants shall file their reply to the opposition no
26 later than **fourteen (14) days** after the date Plaintiff's opposition is filed.

27 This Order terminates Docket No. 20.

28 **IT IS SO ORDERED.**

Dated: November 10, 2014


YVONNE GONZALEZ ROGERS
United States District Court Judge

27 ¹ The deadlines on ECF registered by Defendants do not comport with the Court's Order of
28 Service. Defendants are counseled to be more cautious when entering deadlines on ECF to ensure
that they are consistent with the Court's Order of Service and any requirements relative to mailing.